

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	NO. 06-33-01
v.	:	
	:	CIVIL ACTION
ANDRE HENRY	:	NO. 11-1101

ORDER

AND NOW, 3rd day of August 2011, upon consideration of petitioner's pro se Motion for Evidentiary Hearing (Document No. 785, filed January 10, 2011), petitioner's pro se Memorandum of Law in Support of Motion to Vacate or Set Aside Conviction Pursuant to Title 28, United States Code, Section 2255 (Document No. 786, filed January 10, 2011), petitioner's pro se Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 788, filed February 15, 2011) and Government's Response to Defendant's Motion Under 28 U.S.C. § 2255 (Document No. 794, filed April 20, 2011), for the reasons set forth in the Memorandum dated August 3, 2011, **IT IS ORDERED** as follows:

1. Petitioner's pro se Motion for Evidentiary Hearing (Document No. 785, filed January 10, 2011) is **DENIED**;

2. Petitioner's pro se Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 788, filed February 15, 2011) is **DENIED**;

3. A certificate of appealability will not issue for any of petitioner's claims because reasonable jurists would not debate whether the petition states a valid claim of the denial of a

constitutional right as required under 28 U.S.C. § 2253(c)(2). See Slack v. McDaniel, 529 U.S. 473, 484 (2000); and

4. The Clerk of Court shall **MARK** the case **CLOSED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois
JAN E. DUBOIS, J.